

REMARKS

Claims 1 – 14 are currently pending in the present application. With this Response, Applicants amend claim 1 and 6. No new matter is introduced.

OBJECTION TO IDS

The Information Disclosure Statement (IDS) mailed on September 24, 2001 is objected to as containing a foreign language reference (Japanese patent publication JP 09-130405 A) without a concise explanation of relevance in the English language. Attached to the present Response is a new copy of this reference together with an English language abstract for the reference. Accordingly, Applicants respectfully request that the objection be withdrawn, and that this reference be considered by the Examiner.

OBJECTION TO DRAWING

The drawing is objected to under MPEP § 608.02(g) for failing to label FIGs. 1 – 6 as -- Prior Art --. Applicants propose revisions to FIGs. 1 – 6 by attaching replacement drawing sheets, including clean and marked-up versions, that mark each of FIGs. 1 – 6 with the legend -- Prior Art--. Accordingly, Applicants respectfully request the proposed drawing changes be accepted, and that the objection be withdrawn.

REJECTION UNDER 35 U.S.C. § 112

Claims 1 – 5 are rejected under the second paragraph of 35 U.S.C. §112 as being indefinite. Specifically, the Examiner identifies two limitations of claim 1 having insufficient antecedent basis (“the number of links”, “the amount of the transmission information”). Applicants thank the Examiner for suggesting amendments to claim 1 to overcome this rejection,

and amend claim 1 accordingly. Applicants respectfully request therefore that the rejection be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 2, 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA) in view of U.S. Patent No. 6,501,736 to Smolik et al. Claims 3 – 5 and 7 – 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Smolik and U.S. Patent No. 6,442,151 to H'mimy et al. Applicants amend claim 6 to correct a minor error, and respectfully traverse these rejections.

Claims 1, 2, 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA) in view of U.S. Patent No. 6,501,736 to Smolik et al. Claims 3 – 5 and 7 – 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Smolik and U.S. Patent No. 6,442,151 to H'mimy et al.

In independent claims 1 and 6, Applicants respectively disclose a wireless terminal device and a node device.

The wireless terminal device of claim 1 includes: a) a wireless interface part having an interface to a wireless transmission path at a physical layer, b) a link forming part accessing the path to form a particular link, and c) a transmission/reception part for transmitting and receiving information via the link. The wireless transmission path is formed as a physical channel to which a CSMA protocol is applied, and the link forming part forms the particular link on the transmission path when communications are initiated by the terminal. In this manner, the transmission/reception part is able to effectively transmit and receive information in a connectionless sequence.

The node device of claim 6 includes: a) a link forming part forming links corresponding to wireless terminal devices, and b) a transmission/reception part for transmitting and receiving

information via the links. As disclosed by claim 7, the node device further includes a transmission information monitoring part that monitors transmission rates for individual links in order to inform the link forming part in link selection to achieve a predetermined transmission quality.

The Examiner acknowledges that AAPA fails to teach Applicants' claimed wireless transmission path formed as a physical channel to which a CSMA system is applied, and cites Smolik for this purpose. Smolik discloses a system for increasing call capacity in a wireless communication system by adjusting speech transmission rates in order to increase call capacity of CDMA channels (see, e.g., column 1, line 56 – column 2, line 7 and column 2, lines 31 - 38 of Smolik). As acknowledged by the Examiner, this approach does not disclose or suggest forming links over a physical channel to which CSMA is applied. The Examiner suggests that AAPA's disclosure of a wireless LAN suggests CSMA operation. Applicants respectfully disagree.

Applicants claimed invention discloses a link forming part that forms links corresponding to wireless terminal devices and that are associated in a shared manner with a wireless transmission path (channel). Links for these terminals are formed with initialization of the transmission path, and persist while the path remains active (see, e.g., page 24, lines 3 – 23 of Applicants' specification). In sharp contrast to AAPA, Applicants' claimed approach employing the link forming part enables terminal devices to receive connection-oriented communication services without requiring a dedicated transmission path to be captured for each terminal. As a result, wireless network infrastructure may be reduced over the infrastructure disclosed by AAPA. This distinction of Applicants' claimed invention over AAPA is neither disclosed nor suggested by either of Smolik and H'mimy.

Accordingly, Applicants submit that independent claims 1 and 6 are therefore not made obvious by the combination of cited art, and are therefore allowable. As dependent claims 2 - 5

and 7 - 14 each depend from one of allowable claims 1 and 6, Applicants further submit that claims 2 - 5 and 7 - 14 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 14, consisting of independent claims 1 and 6, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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